

REMARKS/ARGUMENTS

Claims 1-6, 8-33, and 35-47 are pending in this application of which Claims 1-6 and 8-31 are rejected and Claims 32-33 and 35-47 are allowed.

Claims 1, 15, 24 are amended to include "with a noise reduction unit" and "with the noise reduction unit". These amendments are supported by the Specification at paragraph [0027] which recites "Furthermore, noise reduction unit 320 determines whether the late current pixel is a 'luminance still pixel.'" and at paragraph [0029] which recites "Furthermore, noise reduction unit 320 determines whether the late current pixel is a 'chrominance still pixel.'"

No new matter is added.

Claim Rejections- 35 USC §101

Claims 1-6 and 8-31 were rejected "under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter." Specifically, the Examiner stated that:

the claim neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process.

Specifically with respect to Claim 1 the Examiner stated that:

the method of detecting still pixels in a video stream including step of defining, performing calculating and comparing is of sufficient breadth that it would be reasonably be interpreted as a series of steps completely performed mentally, verbally or without a machine.

Claim 1 has been amended by including limitation "with a noise reduction unit" and "with the noise reduction unit" to tie the process of Claim 1 to a particular apparatus. Thus, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 1 under 35 U.S.C. §101. Furthermore, Applicants respectfully submit that the rejection of Claims 2-6 and 8-14, which depend from Claim 1, should likewise be withdrawn.

Specifically with respect to Claim 15 the Examiner stated that:

the method of detecting still pixels in a video stream including step of defining, calculating, summing and comparing is of sufficient breadth that it would be reasonably be interpreted as a series of steps completely performed mentally, verbally or without a machine.

Claim 15 has been amended by including limitation "with a noise reduction unit" and "with the noise reduction unit" to tie the process of Claim 15 to a particular apparatus. Thus, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 1 under 35 U.S.C. §101. Furthermore, Applicants respectfully submit that the rejection of Claims 16-23 which depend from Claim 15, should likewise be withdrawn.

Specifically with respect to Claim 24 the Examiner stated that:

the method of detecting still pixels in a video stream including step of defining, calculating, summing and comparing is of sufficient breadth that it would be reasonably be interpreted as a series of steps completely performed mentally, verbally or without a machine.

Claim 24 has been amended by including limitation "with a noise reduction unit" and "with the noise reduction unit" to tie the process of Claim 24 to a particular apparatus. Thus, Applicants respectfully request reconsideration and withdrawal of the rejection of Claim 1 under 35 U.S.C. §101. Furthermore, Applicants respectfully submit that the rejection of Claims 25-31 which depend from Claim 25, should likewise be withdrawn.

Allowed Claims

The examiner stated that "Claims 32-33, 35-47 are allowed." Applicant gratefully acknowledges the allowance of these claims.

Conclusion

Claims 1-6, 8-33, and 35-47 remain pending. Claims 32-33 and 35-47 were previously allowed. For the above reasons, Applicants respectfully request allowance of Claims 1-6, 8-31. Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 857-0559.

Respectfully submitted,

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Edward S. Mao

September 3, 2009

Date